

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA

vs.

SCOTT THOMAS PROVOST

Defendant.

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§

Criminal No. 4:22-CR-120

SENTENCE DATA SHEET

CITIZENSHIP: United States

**SUBSTANCE
OF PLEA**

AGREEMENT: None

GUILTY PLEA: Counts One and Two – Receipt and Possession of Child
Pornography

ELEMENTS:

COUNT 1 Receipt of Child Pornography = 18 U.S.C. § 2252A(a)(2)(B)

1. That the defendant knowingly received material that contained child pornography;
2. That the material containing child pornography was transported in or affecting interstate or foreign commerce by any means, including by computer; and,
3. That when the defendant received the material, he knew it contained child pornography.

COUNT 2 Possession of Child Pornography = 18 U.S.C. § 2252A(a)(5)(B)

1. That the defendant knowingly possessed materials containing images of child pornography; and

2. That such materials containing child pornography had been shipped or transported using any means or facility of interstate or foreign commerce, or that was produced using materials that had been shipped or transported in or affecting interstate or foreign commerce by any means, including computer; and,
3. That when the defendant possessed the material, the defendant believed the material constituted or contained child pornography.

PENALTY:
COUNT 1

Receipt of Child Pornography = 18 U.S.C. § 2252A(a)(2)(B)

No less than 5 years and not more than 20 years in prison; up to \$250,000 fine; supervised release for any term of years not less than 5 years up to life; \$100 special assessment; \$5,000 special assessment (Justice for Victims Trafficking Act 2015); up to \$35,000 special assessment (Amy, Vicky, and Andy Child Pornography Victim Assistance Act) & mandatory restitution of at least \$3,000 per victim.

COUNT 2

Possession of Child Pornography = 18 U.S.C. § 2252A(a)(5)(B)

Up to 10 years in prison; up to \$250,000 fine; supervised release for any term of years not less than 5 years up to life; \$100 special assessment; \$5,000 special assessment (Justice for Victims Trafficking Act 2015); up to \$17,000 special assessment (AVAA) & mandatory restitution of at least \$3,000 per victim

**SENTENCING
GUIDELINES:**

Advisory

**SUPERVISED
RELEASE:**

At least 5 years up to any term of years or Life

RESTITUTION:

Mandatory restitution of at least \$3,000 per victim per count of conviction.

SPECIAL

ASSESSMENT: \$100 special assessment per count of conviction; \$5,000 special assessment (Justice for Victims Trafficking Act 2015) per count of conviction; up to \$35,000 special assessment (Amy, Vicky, and Andy Child Pornography Victim Assistance Act) for Count 1; up to \$17,000 special assessment (AVAA) for Count 2.

SEX OFFENDER

REGISTRATION: Yes

ATTACHMENT: Proffer